

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CRONOS TECHNOLOGIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-1538 (LPS)
)	
EXPEDIA, INC.,)	
)	
Defendant.)	

CRONOS TECHNOLOGIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-1541 (LPS)
)	
PRICELINE.COM, INCORPORATED)	
(n/k/a THE PRICELINE GROUP INC.) and)	
PRICELINE.COM LLC,)	
)	
Defendants.)	

CRONOS TECHNOLOGIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-1544 (LPS)
)	
TRAVELOCITY.COM L.P.)	
)	
Defendant.)	

DEFENDANTS' SUPPLEMENT TO THE JOINT STATUS REPORT

Defendants submit the following supplement to their position stated in the Parties' Joint Status Report filed July 25, 2016:

During the telephone conference on July 25, 2016, Plaintiff misstated the opinion of Defendants' expert Dr. Michael Shamos as stating that the terms "item/identifying codes" within the '110 Patent require that an "item code" be "incomprehensible." This is incorrect.

Dr. Shamos included an eleven paragraph discussion in his November 18, 2015 rebuttal report, devoted to the term "item code." *See* C.A. No. 13-1538, D.I. 176. That discussion ended with the following paragraph:

68. The terms "item code" and "identifying code" are used synonymously in the Patent because they are both obtained by scanning a bar code. In my opinion, one of skill in the art would understand these terms, as used in the Patent, to mean "a coded designator of a purchasable product," where "coded" means that the designator is not a description of the product itself.

Dr. Shamos nowhere opined that the "item code" must be "incomprehensible," but that "[t]he reason that the 'scanned coded information' [discussed in the specification] will be of 'little use' to the user is that it is a code, not a user-discernable product description." *Id.*, Shamos Rebuttal Report at ¶ 64.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Michael J. Flynn

Jack B. Blumenfeld (#1014)
Michael J. Flynn (#5333)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
mflynn@mnat.com

OF COUNSEL:

John M. Jackson
Nathaniel (Nate) St. Clair II
Matthew C. Acosta
JACKSON WALKER L.L.P.
2323 Ross Ave., Suite 600
Dallas, TX 75201
(214) 953-6000

David Folsom
JACKSON WALKER L.L.P.
6002 Summerfield, Suite B
Texarkana, TX 75503
(903) 255-3250

*Attorneys for Expedia, Inc., priceline.com,
Incorporated (n/k/a The Priceline Group Inc.),
priceline.com LLC and TVL LP f/k/a
Travelocity.com L.P.*

July 25, 2016

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2016, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on July 25, 2016, upon the following in the manner indicated:

Richard D. Kirk, Esquire
Stephen B. Brauerman, Esquire
Vanessa R. Tiradentes, Esquire
Sara E. Bussiere, Esquire
BAYARD, P.A.
222 Delaware Avenue, Suite 900
P.O. Box 25130
Wilmington, DE 19899

VIA ELECTRONIC MAIL

Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Larry A. Russ, Esquire
Adam S. Hoffman, Esquire
Brian D. Ledahl, Esquire
Paul Kroeger, Esquire
Shani Tutt, Esquire
RUSS, AUGUST & KABAT
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025
Attorneys for Plaintiff

/s/ Michael J. Flynn

Michael J. Flynn (#5333)